



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

1875 Century Boulevard

Atlanta, Georgia 30345

JUL 05 2011

In Reply Refer To:  
FWS/R4/RD

Robin Bullock  
Director, NRD  
BP Gulf Coast Restoration Organization  
501 Westlake Park Blvd.  
Houston, TX 77079  
**On behalf of: BP Exploration & Production, Inc.**

**By Certified Mail; Return Receipt Requested**

Re: Interim, Partial Claim for Natural Resource Damage Assessment Costs for the *Deepwater Horizon* Oil Spill, pursuant to 33 U.S.C. §2713

Dear Ms Bullock:

Thank you for your letter of April 25, 2011 concerning the Department of the Interior's presentation of an Interim, Partial Claim for Natural Resource Damage Assessment Costs on February 25, 2011, in which you express BP's interest in continued cooperation and in funding NRDA studies. Enclosed are additional details regarding DOI's Interim, Partial Claim for Natural Resource Damage Assessment (NRDA) Costs which describes twenty-four assessment studies and other procedures which DOI intends to implement in the ongoing NRDA. Since many of the studies and activities have required early implementation, we have previously provided to BP's technical representatives written materials, including proposed work plans, for several of the assessment procedures described in the enclosed document. A few of these work plans have been agreed to by BP, previously. The enclosed document is not a comprehensive description of all of DOI's NRDA procedures, as it does not include activities that have been implemented through other funding sources, including prior payments by BP, nor does it set forth future assessment procedures that will be developed subsequently.

Also, this will acknowledge receipt of your letter dated June 10, 2011 expressing concern about the terms which FWS placed on certain of the bird assessment procedures provided to BP on May 26, 2011. As explained in a telephone conversation among counsel for BP and DOI on June 10, 2011 because of time limitations, including seasonal, contractual, and potential settlement and/or litigation factors, BP may need to make expedited decisions concerning whether it wishes to agree to and fund various of the assessment procedures included in the

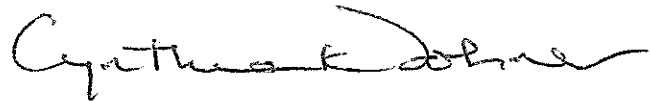


Interim, Partial Claim document. We will continue to consider BP's comments about these planned assessment procedures and prefer to reach agreement with, and to obtain funding from, BP on these, so long as the activities can be implemented in a timely manner.

Consequently, we will inform BP as to the specific dates by which agreements on individual plans and a firm commitment from BP to advance funds for each such study must be accomplished. In the event that those dates cannot be met, DOI intends to pursue funding from the National Pollution Funds Center for the estimated costs of those activities.

I look forward to meeting with you on July 18, at which time we can discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia K. Dohner", with a stylized, flowing script.

Cynthia K. Dohner  
Regional Director, FWS Southeast Region  
Authorized Official for the DOI  
On behalf of the Trustees

Attachment

cc (electronic):

Brian Israel (BP)

Greg Masson (DOI)

Troy Baker (NOAA)

Dr. Nick Tew (Geological Survey of Alabama)

M. Barnett Lawley (Alabama Department of Conservation and Natural Resources)

Lee Edminston (Florida Department of Environmental Quality)

Garret Graves (Louisiana Coastal Protection and Resource Authority)

Roland Guidry (Louisiana Oil Spill Coordinator's Office)

Peggy Hatch (Louisiana Department of Environmental Quality)

Robert Barham (Louisiana Department of Wildlife and Fisheries)

Bob Harper (Louisiana Department of Natural Resources)

Trudy D. Fisher (Mississippi Department of Environmental Quality)

Don Pitts (on behalf of Texas Trustees)

Harriet M. Deal (DOI)

Charles McKinley (DOI)

Robert Taylor (NOAA)

Will Gunter (ALDCNR)

Bennett Bearden (GSA)

Stephanie Morris (LOSCO)

Lisa Ouzts (MSDEQ)

Christa McLintock (on behalf of Texas Trustees)

bcc:

John Carlucci (DOI)

Amy Horner (DOI)

Patricia Cortelyou-Hamilton (DOI)

Tom Blaser (DOI)

John Rudolph (DOI)

Katherine Pease (NOAA)